

Remarks/Arguments

The foregoing amendments and these remarks are in response to the Office Action dated September 10, 2003. This amendment is accompanied by a Request for a One-Month Extension of Time and the appropriate fee for the Extension of Time. At the time of the Office Action, claims 1-14 were pending in this application. Claims 1-14 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,608,804 to Shim ("Shim"). Claims 4 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shim in view of U.S. Patent No. 6,366,544 to Scibora ("Scibora"). Claims 9, 12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shim in view of U.S. Patent No. 6,606,284 to Sakamoto et al. ("Sakamoto"). Claim 4 was rejected under 35 U.S.C. §112, second paragraph.

Rejection Under 35 U.S.C. §112

In response to the rejection of claim 4 under 35 U.S.C. §112, Applicants have now amended that claim to provide proper antecedent basis for the limitation "said non-volatile data carrier." Claim 1 has also been amended to provide proper antecedent basis for "recording medium".

Review of Applicants' Invention

Prior to addressing the Examiner's rejections on art, a brief review of Applicants' invention may be helpful. Briefly, the invention makes use of identifying information contained on optical storage media, which information is unique to each particular storage media (i.e. each optical disc). Thus, the optical storage medium can be identified down to the level of an individual disc. This identifying information is read from the storage medium and compared to stored data contained in an apparatus to determine if specific adjustment parameter values for that particular identifiable disc are available. If so, then adjustment parameter values are read from the storage device, and are used for adjusting the record/playback apparatus into which the disc has been inserted.

For example, the stored data can include adjustment parameters such as focus gain, focus offset, track gain, track offset or HF gain. This information is necessary for more rapidly beginning the process of reading from and/or writing to

the unique individual disc. However, it requires that each specific disc or other optical media be uniquely identifiable. This is to be distinguished from more conventional systems in which individual identification of the media or disc does not take place. Significantly, once the individual disc has been identified, adjustments to the recording apparatus can be made that are unique to the particular disc.

Rejection of Claims 1-14 under 35 U.S.C. §102(e)

Claims 1-14 were rejected under 35 U.S.C. §102(e) based on Shim. However, Shim merely makes use of a BCA code to identify a "type of disc." See Col. 6, lines 32-44. As explained by Shim, such "type" information is useful to allow an optical disc player to accurately discriminate between DVD discs as compared to CD discs. Since Shim does not provide individual identification of the discs, it is no more relevant than the art already noted in Applicants' specification, including JP 07-192386, U.S Patent No. 4,872,151, and DE 31 39 543 A1.

In contrast, Applicants invention as recited in amended claim 1 makes use of identification information on the recording medium to identify optical media down to the level of a specific individual disc, not merely a disc type. As disclosed in Applicants' specification, the ability to identify specific individual discs among discs of the same "type" is advantageous for speeding up the read/write readiness of optical media because it allows identification of specific adjustment parameters unique to the particular optical media disc. For example, these parameters can include focus gain, focus offset, track gain, track offset or HF gain parameters needed for optimal playback and/or recording.

Rejection of Claims 4 and 10 under 35 U.S.C. §103(a)

Claims 4 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shim in view of Scibora. However, Scibora does not make up for the deficiencies of Shim. Specifically, Scibora does not disclose identifying optical recording media down to the level of an individual disc so that adjustment parameters stored on the record/playback apparatus can be quickly accessed and implemented for that particular disc.

Rejection of Claims 9, 12, and 14 under 35 U.S.C. §103(a)

Claims 9, 12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shim in view of Sakamoto. However, Sakamoto also fails to make up for the deficiencies of Shim. Specifically, Sakamoto does not disclose identifying optical recording media down to the level of an individual disc so that adjustment parameters stored on the record/playback apparatus can be quickly accessed and implemented for that particular disc.

In view of the foregoing amendments and comments, the present application is now believed to be in condition for allowance. Accordingly, such action is respectfully requested.

Respectfully submitted,
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